

**Minnesota Department of Human Services
Children and Family Services Administration, Child Care Services**

REQUEST FOR COMMENTS

**Possible Amendment to Rules Governing the Child Care Assistance Program,
Minnesota Rules, Parts 3400.0010 – 3400.0235; Revisor's ID 4560**

Subject of Rules. The Minnesota Department of Human Services requests comments on its possible amendments to the rules governing the child care assistance program (CCAP). During the 2017 legislative session, many changes were made to CCAP. Most of the changes were required under the Child Care and Development Block Grant (CCDBG) Act of 2014. The Department is considering amending the rules to align with these federal and state statutory changes, adding clarity and consistency. The proposed rules amendments will focus on providing equal access to stable child care for low-income children and strengthening requirements to protect the health and safety of children in child care and receiving CCAP funding. The rules amendments will address determination of income for eligibility, frequency of redetermination, determination of copayments, maintaining consistent child care authorizations for children, reporting responsibilities for participants, provider requirements, and payment policies.

Persons Affected. The rules amendments will likely affect families participating in CCAP and their child care providers, as well as the counties, tribes, and contracted agencies that administer CCAP.

Statutory Authority. Minnesota Statutes, sections 119B.02, subdivisions 1 and 3; 119B.04, subdivision 2; and 119B.06, subdivision 2, authorize DHS to adopt rules for administering CCAP, the child care development fund, and CCDBG.

Public Comment. Interested persons or groups may submit comments or information on these possible rules amendments in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until at least 60 days have elapsed from the date of this request for comments.

Advisory Committee. The Department plans to appoint an advisory committee to comment on the possible amendments to the child care assistance program rules. Persons interested in serving on such a committee should contact Andrea Lentini (contact information below) by **October 15, 2018**. The Department will make final selection of advisory committee members.

Rules Drafts. The Department does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written or oral comments, questions, and requests for more information on this possible rules amendment should be directed to Andrea Lentini, regarding CCAP policy, or Vanessa Vogl, regarding rulemaking:

Andrea Lentini
Minnesota Department of Human Services
Child Care Services
PO Box 64962
Saint Paul, MN 55164-0962
Phone: (651) 431-4045
Andrea.Lentini@state.mn.us

Vanessa Vogl
Minnesota Department of Human Services
Administrative Law Office
PO Box 64254
Saint Paul, MN 55164-0254
Phone: (651) 431-3168
Fax: (651) 431-7714
Vanessa.Vogl@state.mn.us

TTY users may call the Department at (800) 627-3529. You can also submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions>.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: August 17, 2018

Amy Akbay, Chief General Counsel
Minnesota Department of Human Services